

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DUSTIN MCCORKLE,	:	Jury Trial Demanded
Plaintiff	:	
	:	1:17-cv-1077
v.	:	
	:	Judge Kane
JEFFERY SHUBERT, et al.,	:	
Defendants	:	Civil Action

**MOTION TO WITHDRAW AS COUNSEL,
MOTION TO SCHEDULE A CONFERENCE
AND
MOTION TO EXTEND DISCOVERY DEADLINES**

AND NOW comes, Vincent M. Monfredo, Esq., and submits the following request to withdraw as counsel, request for an extension of deadlines, and request to schedule a conference:

- 1 Most recently, the Honorable Judge Yvette Kane entered a Case Management Order (Doc. 56) granting the parties an extension of deadlines, which included closing factual discovery by 10/1/2018.
- 2 The parties in this matter had scheduled depositions of numerous parties and fact witnesses for September 19-21, 2018.
- 3 Today, September 19, 2018, the parties by way of their respective counsel began discussing possible settlement options while awaiting the first

deposition to start.

- 4 Undersigned counsel attempted to contact Plaintiff to discuss a possible settlement and the case going forward.
- 5 Plaintiff's phone was not able to take calls and undersigned counsel was forced to communicate by text.
- 6 The conversation ultimately resulted in the undersigned and Plaintiff reaching irreconcilable differences.
- 7 There is no way that undersigned can continue to represent Plaintiff based on the statements made by Plaintiff to undersigned and about undersigned.
- 8 Plaintiff threatened to release my communications with him to the public, write negative reviews about undersigned, and threatened to falsely accuse undersigned of showing up to court hung over.
- 9 Plaintiff now seems on a mission to slander and/or damage the undersigned's reputation.
- 10 Plaintiff stated he would not talk about the case with undersigned until he found a "real attorney" and failed to discuss or respond to settlement offers.
- 11 Undersigned now seeks permission to withdraw as counsel.
- 12 Counsel for all defendants were contacted and do not have a position on this matter between undersigned counsel and Plaintiff, but do concur in the

requests to follow.

WHEREFORE, undersigned counsel respectfully requests this Honorable Court enter an ORDER permitting Vincent M. Monfredo, Esq. permission to withdraw as counsel.

MOTION TO SCHEDULE CONFERENCE AND EXTEND DEADLINES

- 13 Numerous depositions of the parties and witnesses were scheduled for September 19 to 21 in order to comply with the most recent Court Order and case management plan.
- 14 The depositions were halted today after Plaintiff and undersigned reach irreconcilable differences.
- 15 The parties will still need to proceed with depositions and discovery.
- 16 The parties are asking to schedule a conference to discuss the matter going forward and respectfully request an extension of the deadlines set forth in the most recent Court Order (Doc. 56).
- 17 Counsel for defendants were contacted and concur with the request for a conference and the request to extend discovery deadlines.

WHEREFORE, undersigned counsel respectfully requests this Honorable Court enter an ORDER scheduling this matter for a conference.

s/ Vincent M. Monfredo

Dated: 9/19/2018

Vincent M. Monfredo, Esquire
Supreme Court I.D. No.: 206671
Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on this date, I served a true and correct copy of this filing through the Court's ECF system to Defendants' Counsel and to Plaintiff via email and first-class mail (316 E. Burd St. Shippensburg, PA 17257 and dustin.mcorkle@gmail.com).

s/ Vincent M. Monfredo

Dated: 9/19/18

Vincent M. Monfredo, Esquire
Supreme Court I.D. No.: 206671
Attorney for Plaintiff

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